

## REMARKS

This is a Response to the Office Action mailed March 7, 2007.

In the Office Action, claims 1-20 and 23-44 were rejected as being unpatentable over a combination of Stemp et al. and McMichael et al. Reconsideration and withdrawal of these rejections are respectfully requested.

Claim 1 recites:

1. A method for a first server to select content to be displayed on a computer accessing a Web site of a second server, comprising the steps of:
  - collecting user identification data from the computer accessing the Web site;
  - sending the collected user identification data to the first server;
  - retrieving user information corresponding to the user identification data from a database of user information accessible to the first server;
  - applying the retrieved user information to a rule base including a plurality of rules;
  - selecting content to be displayed on the second server's Web site based upon a result of the application of the retrieved user information to at least one of the plurality of rules, and
  - causing the Web site to display the selected content to the accessing computer.

Therefore, the claimed embodiment is a method that requires: 1) a first server that selects content; 2) a second server having (hosting) a web site that displays the selected content; and 3) a computer that accesses the web site of the second server. Moreover the first server must receive the user identification data, retrieve user information corresponding to this data, apply this information to a rule base, **select content to be displayed on the second server's web site**, and cause the web site to **display the selected content** to the **accessing computer**.

Stemp et al. disclose a conventional three-layered architecture:

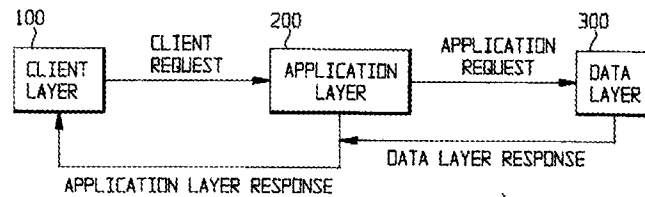


FIG. 1

Stemp et al.'s client layer 100 is the client (the user) and is implemented on a PC running a browser (See Col. 3, lines 52-60).

Stemp et al.'s Application Layer 200 "is implemented on any suitably capable server" and acts as an object broker distributing objects to the client and is used for communication between the business objects and the data layer 300 (See Col. 3, line 61 to Col. 4, line 5).

Lastly, Stemp et al.'s data layer 300 "is implemented on any suitably powerful database server and uses a SQL server database (See Col. 4, lines 6-12).

The Examiner, on page 2 of the outstanding Office Action, deems that the "client in Stemp et al.'s design is equivalent to the claimed computer, the application layer/server is equivalent to the claimed second server and the database layer/server is equivalent to the claimed first server."

It is respectfully submitted that Stemp et al., whether considered alone or in combination with McMichael, does not teach or suggest the claimed embodiment. Indeed, kindly recall that claim 1 requires that the content to be displayed on the second server's Web site is selected based upon a result of the application of the retrieved user information to at least one of the plurality of rules, as claimed. That is, the retrieved user information is used to **select content** to be displayed on the second server's Web site. The Stemp et al. / McMichael combination does not teach or suggest selecting content to be displayed on the second server's Web site, as required by claim 1.

Indeed, as the title to Stemp et al.'s patent indicates, Stemp et al. teach methods and systems for **presenting** information in accordance with user preference. The “presenting” language of the title of Stemp et al. is apt, as the “presenting” information in Stemp et al. refers to **formatting** information. Therefore, it is not the content that is selected in Stemp et al., but how the information is formatted. This formatting is selected according to what Stemp et al. call “behavioral characteristics” such as, for example, an “analytical personality type” (see Col. 6, line 50), the “amiable personality type” (See Col. 8, line 1), the “expressive personality type” (see Col. 7, line 18) and the “driver personality type” (see Col. 7, line 36). The user is afforded an opportunity to select which of these personality types best fits the user using slide bars (see Stemp et al.'s Fig. 6). Indeed, as discussed in Stemp et al. at Col. 8, lines 1-11, the selected personality type allows the:

user to select the form in which subsequent pages are to be displayed. The first slider bar **602** allows the user to select from among the four personality types described above, while the second slider bar **604** allows the user to select four levels of graphics. The user confirms both selections by clicking the “Accept Characteristics” button **606**. The home page **600** also advises that the user can change the characteristics at any time by clicking on the “Change Behavior” link **608** on any page. That link functions as described above.

Thereafter, each different personality type will see the (same) information formatted in different ways, depending upon his or her selected personality type. There is a spectrum of formatting available, from the analytical or driver personality type for which little formatting is applied, to the amiable user whose information is formatted with “more elaborate formatting” to the expressive user who will see the (same) information formatted in a “still more elaborate” manner:

An analytical or driver user sees a page such as the page 700 shown in FIG. 7. The page 700 includes information in text form with minimal formatting. It also includes links such as the "Change Behavior" link 608.

15 An amiable user sees a page such as the page 800 shown in FIG. 8. The page 800 sets forth information with more elaborate formatting. The "Change Behavior" link 608 is at the bottom.

20 An expressive user sees a page such as the page 900 shown in FIG. 9. The page 900 sets forth information with still more elaborate formatting. The "Change Behavior" link 608 is at the bottom.

It is respectfully submitted to the Office that Stemp et al. does not select content based upon a result of the application of the retrieved user information to at least one of the plurality of rules, as required by the claim. In Stemp et al. the same information is simply formatted differently depending upon whether the user is an analytical user (in which case the information is formatted as shown at Fig. 7), is an amiable user (in which case the same information is formatted as shown at Fig. 8) or an expressive user (in which the very same information is formatted as shown at Fig. 9). This is explicitly taught by Stemp et al. at Col. 6, lines 34-36:

35 For the other users, the application layer 200 takes the raw data and in step 562 adds additional formatting elements to conform the resulting page to the behavioral characteristic.

and claimed in Stemp et al.'s claim 1:

retrieving the information  
from the database server, dynamically formatting the  
information in accordance with the preference to form  
custom-formatted information and sending the custom-  
formatted information to the workstation.

The claimed embodiment requires that content be selected to be displayed on the second server's Web site based upon a result of the application of the retrieved user information to at least one of the plurality of rules. The Stemp et al. – McMichael combination does not teach or suggest any such steps. Indeed, at most, a combination of Stemp et al. and McMichael may suggest, to one of ordinary skill in this art, a system by which requested information (the raw data of Stemp et al.,

see Col. 6, line 16) is formatted (i.e., the appearance thereof is changed) according to user preference as taught by Stemp and/or as a result of the application of one or more rules, as taught by McMichael. Wholly unsuggested by the applied combination of references would be any selection of content to be displayed on the second server's Web site based upon a result of the application of the retrieved user information to at least one of the plurality of rules. Stemp et al. does not teach or suggest selecting content – only how the “raw data” is formatted and presented (see title of Stemp et al.'s patent) to the user. That is, a person of ordinary skill in the art, even in full possession of the Stemp et al. and McMichael references would not find it obvious or be motivated to select content to be displayed on the second server's Web site based upon a result of the application of the retrieved user information to at least one of the plurality of rules, as claimed herein.

Claim 18 recites:

...  
**a third process for applying user information obtained from the database to the plurality of rules and for returning selected content to the affiliate Web server in response to the request for content, the returned content being selected based upon a result of applying the user information to the plurality of rules, and**  
**a fourth process to integrate the selected content into the Web site controlled by the affiliate server.**

The remarks immediately above are equally applicable to claim 18, as claim 18 also calls for “returning selected content to the affiliate Web server in response to the request for content, the returned content being selected based upon a result of applying the user information to the plurality of rules.” Again, it is content that is selected, and not formatting as in Stemp et al.

Similarly, independent claim 35 requires:

...  
**applying the retrieved user information to a rule base including a plurality of rules;**

**selecting content to be posted in the accessed Web page based upon a result of the application of the retrieved user information to at least one of the plurality of rules, and**

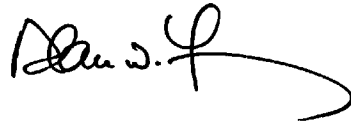
**sending at least one of the selected content and an address of the selected content to the accessing computer for posting into the accessed Web page.**

Therefore, the arguments advanced above relative to claim 1 are also applicable to independent claim 35 and its dependent claims. For brevity's sake, such arguments are not repeated here, but instead are incorporated by reference, as if repeated here in full.

Failing any teaching or suggestion of the claimed subject matter in the applied reference, it is respectfully submitted that the applied rejections under §103(a) be reconsidered and withdrawn. The same, therefore, is respectfully requested.

Applicants believe that this application is now in condition for allowance. If any unresolved issues remain, please contact the undersigned attorney of record at the telephone number indicated below and whatever is necessary to resolve such issues will be done at once.

Respectfully submitted,



Date: June 5, 2007

By: \_\_\_\_\_

Alan W. Young  
Attorney for Applicants  
Registration No. 37,970

YOUNG LAW FIRM, P.C.  
4370 Alpine Rd., Ste. 106  
Portola Valley, CA 94028  
Tel.: (650) 851-7210  
Fax: (650) 851-7232

\\Ylfserver\y\lf\CLIENTS\ORCL\5672\5672 RESPONSE.doc